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Inland Transport Committee

Working Party on Inland Water Transport

Working Party on the Standardization of Technical and Safety Requirements in Inland Navigation

Forty-eighth session
Geneva, 17–19 February 2016
Item 10 of the provisional agenda
Harmonization of the pan-European legal framework or inland navigation: The International Convention on Registration of Inland Navigation Vessels

Possible modification of the International Convention on Registration of Inland Navigation Vessels

Note by the secretariat

I. Mandate

1. This document is submitted in line with cluster 5: Inland Waterway Transport, paragraph 5.1 of the programme of work 2016–2017 (ECE/TRANS/SC.3/2015/17) to be adopted by the Inland Transport Committee at its seventy-eighth session (23–26 February 2016).

2. At its fifty-ninth session, the Working Party on Inland Water Transport (SC.3) took note of the request of Croatia on possible modification of Article 3 of the International Convention on Registration of Inland Navigation Vessels in order to allow registration of vessels not complying with its provisions. Furthermore, SC.3 asked the secretariat to consult with Contracting Parties to this Convention on how they apply the Convention and how to improve and/or to modify it in order to make it an effective and viable instrument meeting the current needs (ECE/TRANS/SC.3/201, paras. 59 and 62). Following this request, the secretariat circulated a questionnaire on the Convention.

3. The secretariat presents in this document the key points of the responses received by 26 January 2016 which support the current text of the Convention. These responses are also reproduced in their entirety and their original language in Informal documents No. 7 and 8.

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II. Key points of the responses received by the secretariat

A. Luxembourg

4. Luxembourg incorporated the provisions of the International Convention on Registration of Inland Navigation Vessels in the Luxembourg legal framework via the Act of 14 July 1966 concerning the registration of inland navigation vessels and river mortgage.

5. The registration of foreign vessels is permitted provided that these vessels comply with Article 2 of the Law of 14 July 1966 stating that "may be registered in the Grand Duchy of Luxembourg vessels belonging to more than half in ownership to nationals of the European Union or to commercial companies with registered office in a member State of the European Union provided that all or at least a significant part of the management of the vessel be carried out from Luxembourg".

B. Switzerland

6. The International Convention on Registration of Inland Navigation Vessels fully meets the needs of Switzerland that considers that there is no need to change or update it.

7. The registration process is governed by the Federal Law of 28 September 1923 on the register of boats (RS 747.11) and the Ordinance of 16 June 1986 on the register of boats (RS 747,111). It should be noted in particular that to be registered, a vessel must belong to a firm or an economically and commercially independent branch, which has in Switzerland an organization able to manage, man and equip the vessel.

C. Belarus

8. In terms of the registration of inland navigation vessels, provisions of the national law of the Republic of Belarus regulating this area of activity fully meet the requirements of International Convention on Registration of Inland Navigation Vessels.

9. At present the International Convention on Registration of Inland Navigation Vessels fully meets the needs of the Republic of Belarus. However, any proposals relevant to ensuring a common legal basis for the registration of vessels, introducing transparent and uniform approach to this issue, prevention of multiple registrations in several states and establishing an effective mechanism for monitoring of vessel owners could be duly considered from their side.

10. Registration of inland navigation vessels in the Republic of Belarus is regulated by the following documents:

- Inland Water Transport Code No. 118–3 of 24 June 2002;
- Decree of the President of the Republic of Belarus No. 200 of 26 April 2010 "On administrative procedures performed by state bodies and other organizations on applications of citizens";
- Decision of the Council of Ministers of the Republic of Belarus No. 156 of 17 February 2012 "On adoption of a common list of administrative procedures performed by state bodies and other organizations for legal entities and private entrepreneurs, amendment to the Decision of the Council of Ministers of the Republic of Belarus No. 193 of 14 February 2009 and repeal of a number of decisions of the Council of Ministers of the Republic of Belarus";

- Decision of the Council of Ministers of the Republic of Belarus No. 812 of 20 June 2007 "On adoption of the State Registration Rules for Inland Navigation Vessels, River-sea Vessels and the Terms of Use of Small Craft and Their Berthing Areas";

- Decision of the Ministry of Transport and Communications of the Republic of Belarus No. 50 of 18 September 2007 "Adoption of the Regulations for the State Ship Registry of the Republic of Belarus as well as models of the ship's log, applications relevant to the state registration of ships and titles for them and certificates issued on the results of this registration".